

c.c. to what more

Security



10 DOWNING STREET

THE PRIME MINISTER

Friday 20th March

Michael,

As that there shall

be no doubt, I leave it entirely
to your judgment, whether or not
you are interviewed on radio or T.V.
about the Haseman matter.

Raymond

The A-G

Copy to B.I.

B.R. Hayman P

SECURITY
Hayman

CF file

MS

19/3

LINE TO TAKE

Security

The failure to report the matter at the appropriate time was the result of administrative oversights, which are regretted. Steps are being taken to prevent a reoccurrence.

POSSIBLE SUPPLEMENTARIES

~~No action~~ + See Bullock who have carried out full investigation. No other to suggest that Security procedures

Q1 When was the matter drawn to the attention of Security Services?

In October 1980.

Q2 Why was it not reported at the time?

Through administrative oversights following the decision not to prosecute.

Q3 What is being done to prevent this being done again?

In respect of cases which are reported to the Director of Public Prosecutions steps are being taken to reinforce instructions to staff to report sensitive circumstances to their senior officers for a decision to be made whether the matter should be referred to those concerned with security. In respect of the vast majority of cases, which are not referred to the Director, he and the Attorney General are considering what may be done. This may involve consultations with other Government departments.

19 March 1981

SIR PETER HAYMAN

BACKGROUND NOTE

by D.P.P.

At attempt was made to contact Security Services when the first Police report was under consideration. The contact was unavailable and his secretary said he would ring back - he did not do so. Later, the final decision not to prosecute was reached and the need to chase the unreturned telephone call was over-looked.

Security Services were informed following the article in Private Eye for 24 October 1980.

In the context of the decision not to prosecute, there is a conflict between precautions needed to prevent the possibility of offences being committed in the future and the rights of the individual. (See Sir Robert Armstrong's minute of 27 October 1980, reference A03354). When Security is at stake the balance in favour of taking preventative steps ought, perhaps, to prevail. There is a further problem. The Director of Public Prosecutions deals with only a small percentage of all criminal injustices. Many sexual offences or other offences which might leave the culprit vulnerable to blackmail will not be reported to him in the ordinary way. But the Attorney General is considering with the Director what steps should and can be taken to ensure that cases, in which security may be or may not be at risk, are identified and reported. Since many cases will not come to the Director's attention the Home Office may have to be consulted. The Director will be taking steps to remind his staff again that they should be on the lookout for sensitive circumstances and report any to their senior officers.

PARLIAMENTARY QUESTION

FOR WRITTEN ANSWER

THURSDAY, 19TH MARCH 1981

QUESTION

62 W MR GEOFFREY DICKENS: To ask Mr Attorney General, if he will prosecute Sir Peter Hayman under the Post Office Acts for sending and receiving pornographic material through the Royal Mail.

MEMBER'S CONSTITUENCY: Huddersfield West (CON)

ANSWER

THE ATTORNEY GENERAL: In 1978 a packet containing obscene literature and written material was found in a London bus. The subsequent police investigation revealed a correspondence of an obscene nature between Sir Peter Hayman and a number of other persons. Altogether a total of seven men and two women were named as possible defendants in the report submitted by the Metropolitan Police to the Director of Public Prosecutions.

The Director advised against prosecuting any of the nine persons either under section 11 of the Post Office Act 1953 or for any other offence. Among the considerations he took into account were the factors that the correspondence had been contained in sealed envelopes passing between adult individuals in a non-commercial context and that none of the material was unsolicited.

/Subsequently

Subsequently the Metropolitan Police submitted a further report which revealed that one of the nine, not Sir Peter Hayman, was also carrying on a correspondence with a tenth person. The police investigation showed that the two shared an obsession about the systematic killing by sexual torture of young people and children. In view of the extreme nature of the material they had sent each other the Director of Public Prosecutions decided to prosecute them for conspiring to contravene section 11 of the 1953 Act. There is no evidence that Sir Peter Hayman has ever sent or received material of this kind through the post.

It has been suggested that Sir Peter Hayman was considered as a possible defendant following the police investigation into the conduct of the Paedophile Information Exchange (PIE), which led to the recent trial at the Central Criminal Court for conspiracy to corrupt public morals. That prosecution was against persons alleged to have been involved in the management or organisation of PIE. Although Sir Peter Hayman had subscribed to PIE, that is not an offence and there is no evidence that he was ever involved in the management. At the recent trial, whilst there were general references to members of PIE (including, though not by name, Sir Peter Hayman), there was no reference to any material produced by him or found in his possession.

I am in agreement with the Director of Public Prosecutions' advice not to prosecute Sir Peter Hayman and the other persons

/with

with whom he had carried on an obscene correspondence.

The Director of Public Prosecutions and I remain determined that, where the evidence justifies it, prosecutions will be brought in cases involving sexual acts with children or offences under the Protection of Children Act 1978 (indecent photographs of children).

PARLIAMENTARY QUESTION FOR PRIORITY WRITTEN ANSWER ON
THURSDAY 19 MARCH 1981

Mr Geoffrey Dickens: To ask the Attorney General if he will prosecute Sir Peter Hayman under the Post Office Acts for sending and receiving pornographic material through the Royal Mail.

DRAFT ANSWER

7/12/78

In 1978 a packet containing obscene photographs and written material was found in a London bus. The subsequent police investigation revealed a correspondence of an obscene nature between Sir Peter Hayman and a number of other persons. Altogether a total of seven men and two women were named as possible defendants in the report submitted by the Metropolitan Police to the Director of Public Prosecutions.

Jan 79

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late i. Jan 79

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I am in agreement with the Director of Public Prosecutions' ^{that, deplorable tho' these activities have been,} advice not to prosecute Sir Peter Hayman and the other persons with whom he had carried on an obscene correspondence. ^{should not be prosecuted}

The Director of Public Prosecutions and I remain determined that, where the evidence justifies it, prosecutions will be brought in cases involving sexual acts with children or offences under the Protection of Children Act 1978 (indecent photographs of children).

**MP's questions name Sir Peter Hayman:
'Embarrassment is known to the world'**

SHAME OF THE 'PORN' ENVOY

SIXTY - SIX - YEAR - OLD Sir Peter Hayman, former High Commissioner in Canada, was formally named in the Commons today as the diplomat referred to in the Old Bailey child pornography trial.

This was done in two questions tabled by Tory MP Geoffrey Dickens (Huddersfield West). Both questions appeared in today's Parliamentary Order Paper.

At the Old Bailey, the diplomat, a church sidesman and holder of City directorships, was referred to anonymously under the code - name "Mr Henderson."

Both questions were set down for written answers, so there will be no opportunity for Mr Dickens or other MPs immediately to raise supplementary points.

Mr Dickens tabled the questions last night against the strong advice of Attorney General Sir Michael Havers, who urged the MP not to name the man, who has not been prosecuted.

One question, to Mr Francis Pym, Leader of the House and Chancellor of the Duchy of Lancaster, asks "if he will move to set up a select committee to investigate the security implications of the entries contained within the volumes of Sir Peter Hayman's diaries referred to in the trial of Tom O'Carroll at the Old Bailey."

The second question is to the Attorney-General asking him "if he will prosecute Sir Peter Hayman

by Keith Dovkants and Baz Bamigboye

under the Post Office Acts for sending and receiving pornographic material through the Royal Mail."

Today Sir Michael Havers launched a caustic attack on Mr Dickens for his action, saying: "This should never have happened. There cannot be any justification for it - it is a wholly unnecessary fuss."

The Attorney-General explained that Sir Peter Hayman and nine other men who were questioned about the posting of obscene material were never prosecuted following a decision by the Director of Public Prosecutions.

Sir Michael backed this decision and said: "Absolutely nothing at all has been achieved in naming a man who has been retired for seven years. All Mr Dickens has done is made certain that Sir Peter's shame and embarrassment is known to the world."

"There cannot be any justification whatsoever for what has happened. Sir Peter has been retired for a long time so the security aspect does not come into it."

"How has the public gained by this? How can it be in the public interest to name this man? I hope that by the end of the day we will see an end to it."

Referring to the Commons question he has to answer he said that he would be giving a detailed written reply. "It sets out the facts—at least people

Continued Page 2, col. 5



NAMED — Sir Peter Hayman, a former High Commissioner to Canada.

London disorder warning to GLC

by Michael King

DISORDER could break out if the Government continues to deprive London of cash, warned a GLC Labour councillor.

Mr Norman Howard said there were increasing signs of decay in many parts of the capital and if it was allowed to continue there would be "social disorder" of the kind seen in the St. Paul's district of Bristol last year.

"I would hazard a guess that, unless we tackle some of the problems of our ethnic minorities, the same sort of thing will burst out here," he said. "We have already had a taste of it with the march from Deptford last month."

Mr Howard, a moderate Labour member representing Brent East, added that he was particularly worried about the latest crime figures when related to London's high level of unemployment.

His attack came last night during a censure debate on Sir Horace Cutler's Tory administration at County Hall. Labour claimed that GLC policies, coupled with those of the Government, had put an intolerable burden on London's stress areas.

MPs' inquiry

THE all-party home affairs committee of the House of Commons is to conduct an inquiry into the operation and effectiveness of the Commission for Racial Equality.

12-month freeze on LEB prices

by John Williams

THE London Electricity Board has promised to freeze prices for a year following protests over an 11 per cent increase due to take effect in a fortnight.

The April 1 increase is the third in a year. It has been bitterly opposed by the consumer watchdog, the London Electricity Consultative Council.

Now, following lengthy talks, the LEB has promised the council to hold prices steady for a year.

Mr Roger Barnard, the council's secretary, said today: "We can also make a promise—we will hold them to their pledge."

The new increases will be officially announced in the next few days.

The annual bill for a domestic consumer using 1000 units will jump from £206 to £229.

Industrial customers will face a 14.6 per cent rise, which is bound to anger firms already struggling to cope with high fuel costs.

The reason for the difference is that domestic customers were over-charged last August when prices rose by 11 per cent.

Electricity chiefs had budgeted for big rises in their own fuel bills, but the price of coal and other energy went

up more slowly than expected. The LEB says it is now compensating families by scaling down next month's increase, although the LECC claims even more could have been "given back" to the LEB's 1.5 million domestic customers.

The neighbouring Eastern Electricity Board has held its increase to 7.2 per cent.

There was already an 11 per cent prices gap between the two boards.

Michael Heath

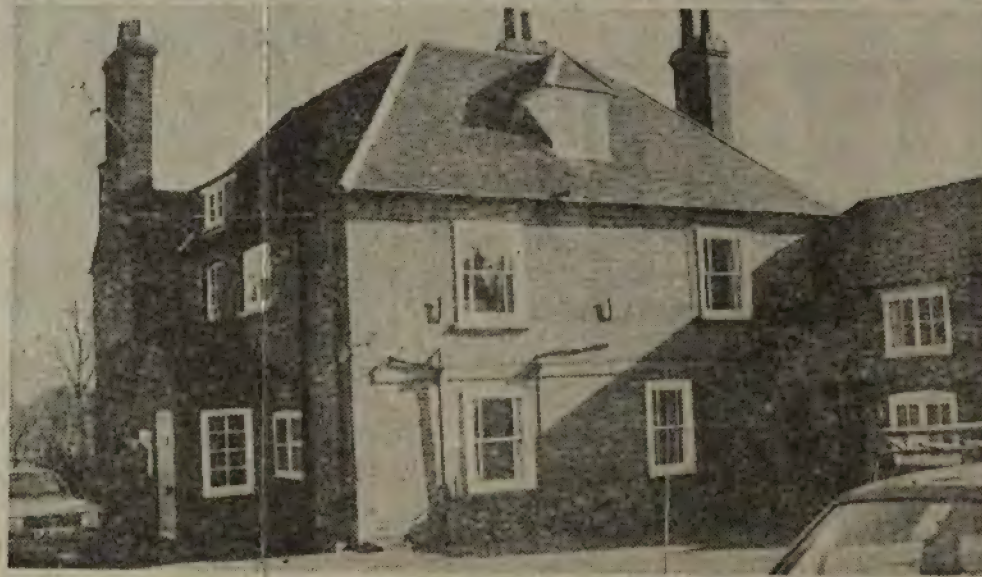
LEER...
VOTE
CONSERVATIVE
I
SUPPOSE



"Even their advertising agency is losing confidence."

The shame of Sir Peter Hayman

Continued from Page 1



UXMORE HOUSE, Sir Peter Hayman's home

should have a proper idea of the facts as they are," he added.

"It is completely untrue to say there was a cover-up. When the matter with which Sir Peter is concerned initially came to light he was one of a number of people involved."

Papers were sent to the Director of Public Prosecutions and he decided that since there was no commercial gain and because it was between grown-up adults and because there was no corruption to the public there was no prosecution.

"This was a private affair between grown-up people and basically we do not prosecute under the Post Office Acts when there is no commercial gain and no corruption."

Sir Michael said he did not believe there had been any security risk involving Sir Peter who held high-ranking posts in key places including Berlin and New York and was also on the staff of the

Ministry of Defence at one point in his career.

Mr Dickens was unrepentant about his decision to reveal the name. "I named Sir Peter after a lot of careful thought and consideration," he said. "I came under a lot of pressure but I feel that I did what had to be done."

"When you are in a area of child pornography are on a serious subject and every parent in the land has a right to know."

"This is not a moral question and I am not making any attempt to make a moral judgment. I don't know Sir Peter—I've never met him—and have nothing against him personally."

"If I had known the names of the other people involved I would have brought those out too."

One of Mr Dickens's fears, it was reported earlier, was that Sir Peter could have become victim vulnerable to pressure from foreign agents.

But Foreign Office Minister Mr Douglas Hurd said in a written answer last night: "The security authorities have carried out a full investigation. This has revealed nothing to suggest that security has been prejudiced."

Information

At the Old Bailey last week O'Carroll, 35, chairman of the Paedophile Information Exchange, was jailed for two years for conspiring to corrupt public morals.

Mr Dickens claimed that the police at the hearing were "absolutely staggered" that the diplomat had not been charged as a result of what had been found in his flat.

He had left the pornographic material on a bus and detectives questioned the diplomat after the material had been found.

It was in October 1978 that Porn Squad officers, seeking a "R. Henderson", raided a small flat in Linden Gardens, Notting Hill Gate, West London.

They found Sir Peter who broke down and cried when questioned about obscene picture of women, and 46 quarto diaries cataloguing six years of sexual fantasies.

As well as the diaries, police found articles of female clothing and letters from men alleged to be involved in paedophilia.

A brilliant career—and questions of security

Standard Reporter

SIR Peter Hayman occupied a chain of top-security jobs during a brilliant Whitehall career.

Now Mr Geoffrey Dickens's move rouses questions once again about the practical use of positive vetting by MI5 and MI6.

How did a potential blackmail risk come to hold highly sensitive posts at the Ministry of Defence, NATO and in Berlin?

Sir Peter Hayman, a father of two, topped a distinguished career as British High Commissioner in Canada from 1970 to 1974.

From 1964 to 1966, he was Foreign Office Minister and Deputy Commandant in the British Military Government of West Berlin.

In the fifties Sir Peter served on the British delegation to NATO and in 1949 was personal assistant to the Chief Staff Officer to the Minister of Defence. He was knighted in 1971.

Abroad

Sir Peter and Lady Hayman left last week for a motoring holiday in Europe, and their son Christopher, editor of a magazine based in Colchester, was reported as saying: "We have no idea where they are or when they will be back."

They also have a married daughter, who lives in Canada.

Their home, Uxmore House, on the outskirts of the Oxfordshire village of Checkendon, is a large Georgian manor house set back from the road.

The Haymans have taken active roles in village life, and worshipped at the local Anglican church, where Sir Peter was a sidesman and his wife a

member of the parochial church council.

In 1979 Sir Peter reached the semi-finals of the BBC-TV Mastermind quiz programme. He answered questions on the marshals of Napoleon and the life of King George V.

Since being named by Private Eye magazine last October as the target of a Porn Squad raid Sir Peter has resigned directorships of a series of companies and a students' charity.

He was a governor of International Students House in Great Portland Street, a trust which provides facilities for overseas students, from 1975.

Dumbfounded

Major General Sir John Nelson, the chairman, said: "I was waiting for the resignation and it came. I didn't have to ask for it. He was very apologetic although he obviously admitted nothing."

Sir John said: "He was my deputy in Berlin. I am dumbfounded at the news. He had a happy family and there was absolutely nothing wrong with him. He was outgoing, humorous and amusing."

"Like me, he would have had special screening, and I am certain there was no question of a security risk. I am appalled about the whole thing."

Mr Anthony Shaw, director of International Students House, said it was obvious Sir Peter had resigned to avoid embarrassing the organisation.

"He was one of more than 30 governors. Naturally, I am concerned for the name of the House."

Sir Peter, educated at Stowe School and Worcester College, Oxford, served with the Rifle Brigade during the war.

He was described as "one of the brightest stars" in the diplomatic service. Colleagues described him as "a Robert Morley-type character—large, balding and cheerful."

Sir Peter, who lists his recreations in Who's Who as shooting, fishing and travel, is still a member of the MCC, the Army and Navy, and the Travellers' Club.

At the Travellers' Club in Pall Mall, a spokesman said: "We went through all this with the Anthony Blunt case, you know."

WEATHER

FORECAST: Mainly dry; cloudy at first, becoming brighter.

SHADE TEMPERATURE: 9 a.m. 41 F. (5 C.); barometer: 1010-8 millibars (29.85 inches), falling.

HIGH TIDE at London Bridge: 12.42 p.m.

OUTLOOK: Mainly dry with some bright intervals.

CHANNEL: Moderate to rough.

LIGHTING-UP TIME: 6.39 p.m. to 5.36 a.m. Sun sets 6.09 p.m., rises 6.09 a.m. Moon rises 3.48 p.m., sets 5.37 a.m.

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N.R.

PRIME MINISTER

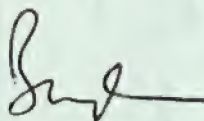
*discussed with PM
Mr*

Attorney General/Sir Peter Hayman

Just to bring you up to date on the question of a press conference by the Attorney General which, of course, you banned.

You should be aware that a request for advice from the Attorney General was received while I was in a meeting just before I had to go over to conduct the 4 p.m. Lobby. I had not at that time seen the draft reply to the question down to the Attorney General for answer tomorrow. My advice, however, was that on no account should the Attorney General see the press on this subject either before or after giving his answer. Nick Sanders agreed with me when we met in the street on my way to the Lobby. He subsequently raised the matter with you.

About an hour later I discovered the Attorney General's interview with the "New Standard" - see the passages marked in the attached cutting from the "New Standard" (both sides of the sheet). You will see that the Attorney General has, to all intents and purposes, anticipated his parliamentary answer.



B. INGHAM

18 March, 1981

17 March 1981

- C Mr Geoffrey Dickens (Huddersfield West): To ask the Secretary of State for Defence, whether, in view of the references to the conduct of a former senior civil servant of the Ministry of Defence in the case of Regina v. Thomas O'Carroll and others, he will cause an investigation to be made of the extent to which a security risk occurred at the posts at which that official served.

No 69W

MR DOUGLAS HURD

I have been asked to reply.

The Security authorities have carried out a full investigation. This has revealed nothing to suggest that security has been prejudiced.

Peter Hayman

A-G

THE CASE OF SIR PETER HAYMAN

LINE TO TAKE - Security Aspects

The Security authorities have undertaken a full investigation and have concluded that there has been no prejudice to security.

PA
(CF file)
MS

A full investigation has been carried out and has revealed nothing to suggest that security has been prejudiced.



BACKGROUND NOTE

1. Following allegations about Sir Peter Hayman which appeared in Private Eye of 24 October 1980, the Security authorities undertook an investigation with a view to discovering whether anything was known or suspected about his activities whilst he was serving in the Diplomatic Service and whether there was any reason to suppose that security had been compromised. Sir Peter first came to the notice of the Authorities in 1978 following a Police investigation of pornographic literature traced to a flat which he rented.
2. At that time the Attorney-General decided there was no case for a prosecution. Following the Private Eye allegations however, the security investigation was undertaken. It is now complete and the Security authorities have concluded that there has been no prejudice to security.

XQPF 1/965(H)

Parliamentary Unit

SIR PETER HAYMAN : SECURITY ASPECTS

1. We spoke. I submit advice for the Prime Minister for use at Question Time this afternoon. The line to take has been agreed with the Security Service and the Cabinet Office and the Home Office has been informed. (If the Question is not put this afternoon, the line to take would form the basis of the reply to Question No 69 tabled for written answer by Mr Geoffrey Dickens.)
2. The Attorney-General's office is sending separate advice to the Prime Minister on other aspects.
3. In the absence of the LPS in Brussels, we have spoken with Mr Hurd's office but because of the short time factor would be grateful if you will arrange necessary clearance with FCO Ministers.
4. The Security Service has kept the Royal Canadian Mounted Police abreast of the enquiries for their own information, and we will of course ensure that Ottawa and Bonn are informed of whatever is said in the House.

JS Winchester
I S Winchester
Security Department
M408 273-5627

Copied to:-

Private Secretary	PS/LPS
Chief Clerk	PS/Mr Hurd
Mr Adams	PS/PUS
News Department	Cabinet Office, Mr Wright

Q1 WAS SIR PETER HAYMAN PROMISED AN IMMUNITY FROM PROSECUTION BY OR ON BEHALF OF THE GOVERNMENT?

PA
(CFFle)
MS

A1 No, no question of such an immunity ever arose under this or any previous Administration.

Q2 WHY WAS SIR PETER HAYMAN NOT PROSECUTED WHEN OTHERS INVOLVED WITH HIM WERE?

A2 None of those involved with him or in similar offences in 1978
was prosecuted.

OR

The decision on proceedings was taken by the Director of Public Prosecutions, who is responsible to the Attorney General; any questions on that aspect of the matter should be addressed to the Attorney General.

Q3 WHY WAS SIR PETER HAYMAN REFERRED TO BY A CODE NAME OR AS A FORMER CIVIL SERVANT IN THE PROCEEDINGS WHEN OTHERS WERE NAMED?

A3 Because that was the name by which the witnesses knew him.

OR

Any question about the conduct of the proceedings should be addressed to the Attorney General.

17 March 1981

SIR PETER HAYMAN - BACKGROUND NOTEA. The Decisions not to prosecute

1. The facts and the reasons which led to the decision not to prosecute Sir Peter Hayman for an offence under s.11 of the Post Office Act were summarized in paragraph 3 of Sir Robert Armstrong's minute (A03354) of 27 October 1980. It should, however, be noted that Sir Peter was only one of nine possible defendants and the same decision was made in respect of all.

2. Mainly under the pseudonym Henderson he figured on the periphery of the enquiries into the activities of Paedophile Information Exchange. The Director received the reports on these enquiries only after the decision not to prosecute him following the earlier report had been made. As a result of this second report, proceedings were initiated against four persons for the distribution by post of obscene or indecent material. Two of the four were amongst the nine the subject of the first investigation and the other two were members of the executive committee of PIE. The policy followed in reaching these decisions was the same as that previously followed. The factual difference was there was now evidence of commercial gain.

3. O'Carroll and his co-accused at the recent trial were all members of the executive committee of PIE and there was evidence that as such they actively promoted acts which could have amounted to sexual offences against children. Their activity did not on the facts constitute a criminal offence other than, possibly, a conspiracy to corrupt public morals, with which they were subsequently charged and O'Carroll convicted. There was no evidence that Sir Peter Hayman was a party to this conspiracy or a member of the executive committee, although it appeared that he had been a member of

/PIE



PIE for the purpose of making contact with adults with whom he could exchange obscene material. There was no evidence of his having sought to approach any child for sexual purposes or of his seeking to incite others to do so.

4. The first decision not to prosecute Sir Peter Hayman was based on policy and his eight potential co-accused were also not prosecuted under the same policy. He was never seriously under consideration as a potential defendant in the second case. His former position was not a factor taken into consideration in reaching these decisions and no attempt was made to cover up the facts to save either him or the Government embarrassment.

5. There was no policy that Sir Peter Hayman's name should not be mentioned in the PIE proceedings or, if mentioned, only under his assumed pseudonym. His name cropped up at the committal proceedings and he was then referred to by the name under which the witness under examination knew him. This is normal practice. He was not called as a witness and it is understood that he was not referred to by the Crown at the Crown Court. The Defence made reference only to a "senior civil servant".

6. The report in Private Eye 497, 2 January 1981, that the Attorney General had asked to see Sir Peter Hayman's diaries is untrue. It is understood that they were recovered from the Police by the Director for the undisclosed purpose of being made available to the Security Services. The Attorney did ask to see again the papers relating to the case against O'Carroll at the time that he was asked to consider the acceptance of pleas to lesser offences. The request for him to do this came through the Director's office but did not originate there.

7. It is the policy of the Law Officers that persons who have been investigated by the police but not prosecuted

/should



should not be named ~~in the House~~, as to do so is to cast an unnecessary slur on the person without his having the opportunity to clear his name before a court.

8. Line to take

There has been no cover up. Singling out for naming in the House one person is unnecessary and unjust. It can serve no useful purpose.

B. The Security aspect

9. This is the subject of a note from another source. The Attorney General has not received any evidence to suggest that Sir Peter Hayman may have been involved in any security offence.

C/

LAW OFFICERS' DEPARTMENT

17 March 1981

SECRET

Security

Prime Minister.

6

has
28:

Ref. A04122

MR WHITMORE

I understand that Sir Peter Hayman may be named in The Guardian and the Daily Mail tomorrow morning, in connection with the court case involving people concerned with Paedophile Information Exchange.

2. There is nothing new to report of this affair since my minute of 9 January. The enquiries described in that minute continue. There is still no reason to suppose that there is any security significance in the affair.

3. If there were to be any comments from Government they should come from the Foreign and Commonwealth Office, since Sir Peter Hayman was a member of the Diplomatic Service. But it would be preferable for there to be no comments of substance by anybody at this stage, not only because the enquiries are not yet complete but also because Sir Peter Hayman is named in the context of a case which is still subjudice (though he himself is not involved in the case).

REA

ROBERT ARMSTRONG

28 January 1981

SECRET

SECRET

Mr. [signature]
J. Whitmore
5
[signature]
[signature]
[signature]
281

Ref. A04122

MR WHITMORE

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ROBERT ARMSTRONG

ROBERT ARMSTRONG

28 January 1981

SECRET

SECRET

4

JS

Security

(S)
SIR ROBERT ARMSTRONG

SIR PETER HAYMAN

The Prime Minister has seen your minute A03945 of 9 January 1981 about Sir Peter Hayman.

She has taken note of this progress report. No doubt you will submit further advice when the Security Service have concluded their investigation.

CAW

12 January 1981

9B

SECRET

THIS IS A COPY. THE ORIGINAL IS
Ref. A03945
RETAINED UNDER SECTION 8 (4)
PRIME MINISTER
OF THE PUBLIC RECORDS ACT

Prime Minister

A progress report,
following another
Private Eye article

MAF 9/1

Sir Peter Hayman

✓ — In my minute of 27th October 1980 (A03354) I described the background to the allegations in a Private Eye article about the sexual activities of Sir Peter Hayman. I said that the Security Service would undertake a full investigation with a view to discovering what was known or suspected about Sir Peter Hayman's activities while he was in the Diplomatic Service. In view of the further article in last week's Private Eye about Hayman (of which I enclose a copy), I have obtained a progress report on the investigations.

2. The documentary evidence in the possession of the Director of Public Prosecutions (Hayman's diaries) which related to the period 1966-78 showed that the first Private Eye article in October was generally accurate as far as that period was concerned. There is no reflection of Hayman's sexual activities in his FCO personal files. The Security Service have so far undertaken a total of 14 interviews with present and past FCO and officials who were colleagues of Hayman in his various postings from 1959 onwards. It seems from those interviews that, with the exception of two incidents (which were not reported and might well have seemed insignificant at the time, though they seem more significant with the benefit of hindsight), one during his period in Baghdad in 1959-60 and the other in his time as High Commissioner in Ottawa in 1971-74, Hayman gave his colleagues no cause to suspect that he might be engaged in irregular sexual activities. Further interviews are to take place over the next three weeks. One of these will relate to his time in Berlin (1964-66), when he would have been particularly vulnerable if he had then been involved in these activities. Nothing has so far come to light from interviews which have been conducted to suggest that Hayman's vulnerability to blackmail came to the attention of hostile intelligence services at any time.

3. Once all the interviews have been completed, it will be necessary to see an interview with Hayman himself. Unless that interview produces leads which require further interviews, the Security Service hope that the report on the

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investigation as a whole will be submitted during February. It should then be possible to decide what further action is necessary, whether the fact that Hayman's activities escaped official notice throughout his career indicates a defect or shortcoming in positive vetting procedures, and whether a reference to the Security Commission should be considered.

4. The Director of Public Prosecutions has informed me that there is no truth in the recent Private Eye article that there is a disagreement between him and the Attorney General over the handling of the Hayman case. The Attorney General has not seen and has not asked to see any of Hayman's diaries. These are now in the possession of the Director or Public Prosecutions having been obtained from the Metropolitan Police by the official in the DPP's office who has dealt with the case throughout.

5. It is also quite untrue to suggest that the DPP or his office inspired an attempt to get the case against the organisers of Paedophile Information Exchange (PIE) on a charge of corrupt public morals to be dropped (Hayman is not involved in this prosecution, although there is a possibility that his name may be mentioned during the course of the proceedings). Before the first Private Eye article was published Defence Counsel asked Counsel for the Crown whether the prosecution might drop the sexual charge. Consideration was given to this as it might have been possible to accept pleas of guilty in the interest of saving court time and expense, but after consultation between the Attorney General, the DPP and Prosecuting Counsel it was agreed that the charge should stand. The suggestion that dropping the charge would prevent the naming of Hayman in the proceedings was never considered.

RA

ROBERT ARMSTRONG

9th January, 1981

SECRET

Beast of Berlin (2)

A FLAMING row has broken out between the Attorney General and the Director of Public Prosecutions following the revelation (*Eye* 492) of reckless sexual exploits and fantasies of retired ambassador Sir Peter Hayman KCMG, CVO, MBE.

Hayman joined the Paedophile Information Exchange under the name of Henderson and conducted obscene correspondence with other PIE members through a flat he rented at 95 Linden Gardens, W2.

In October 1978, Hayman was questioned by Obscene Publications Squad officers after pornographic literature addressed to 'Henderson' was left on a bus. Whereas several of his PIE correspondents now face trial at the Old Bailey this month, Hayman was merely cautioned not to send obscene material through the post again. This appears to have been the result of an Establishment 'fix'.

The most worrying aspect of the Hayman affair lies in what was discovered at his Linden Gardens love-nest: pornographic photos, articles of female clothing indicating the regular entertainment of prostitutes, and 46 quarto diaries, each of some 80 pages, cataloguing six years of deviant sexual activity.

The earlier diaries cover part of Sir Peter's term as British High Commissioner in Canada from 1970 to 1974 and would have made him a certain victim of blackmail had they fallen into the wrong hands. Hayman had previously held top posts in the Ministry of Defence and the UK delegation to NATO.

The *Eye* exposé of Hayman's activities horrified the Attorney General, Sir Michael Havers, because the Director of Public Prosecutions, Sir Thomas "Tony" Hetherington, had never told him that Hayman's diaries were obscene (if he had even mentioned them at all). Havers demanded that the Beast of Berlin's

to contemplate any such deal and demanded that the charges stand. It now seems likely, therefore, that the dangerous weaknesses of one of Britain's most trusted post-war security and diplomatic figures may yet be formally revealed. But the lewd contents of Hayman's diaries will not be read out because they form no part of the case against his fellow paedophiles.

Doubtless the diaries will not be mislaid or shredded while in the Attorney General's care but will be returned in due course to their owner and creator.

• Sir Peter Hayman has not seen fit to resign his directorships with either Delta Metal (Overseas) or Matthew Hall (International Development). He has retained his job as Governor of the International Students House, a hostel in Great Portland Street, W1 for young university students from all over the world.

Boxing

Bout of Trouble

THE BRITISH Boxing Board of Control's recent surprise decision to join the World Boxing Association, after years of support for the rival World Boxing Council which it helped to set up, smacks of purely self-interest. For the WBC's survival as the main regulatory body for world boxing is threatened by allegations of corruption, influence-peddling, favouritism and manipulation of its world championships which have resulted in an investigation by the FBI.

The serious nature of the allegations against the WBC and its president, Mexican Jose Sulaiman, is made clear for the first time in pre-trial testimony given by leading American promoter Robert Arum in connection with a New York court case due to start shortly. In a deposition made in early December, Arum, a former practicing lawyer who is now one of the top promoters of fights for TV, alleged that Sulaiman had accepted hospitality for himself and his family from promoters, benefited personally from the rankings given to boxers by the WBC, and manipulated WBC rankings for promoters' benefit.

This festering sore is all set to burst with accompanying publicity on 26 January in New York with the opening of a damages action brought against the WBC and Sulaiman by American promoter Teddy Brenner. He is claiming damages for the monopoly practices of the WBC, which he claims has tried to put him out of business.

The Brenner trial will be most unwelcome to the British Boxing Board. Not only could general secretary Ray Clarke, a WBC official and a long-standing Sulaiman ally, be called as a witness, but Brenner also claims that match-maker/promoter Mickey Duff, the most powerful man in British boxing, is one of the "favoured promoters" of Sulaiman and the WBC.

In documents filed with the court Brenner alleges that there are seven "favoured promoters" which include Bob Arum and his rival Don King.

Surprisingly, Arum, for whose company Brenner now works, backs up these claims. In his deposition Arum states that it is the practice to pay the entire hotel bill of Sulaiman, a

familiar ringside face at virtually every world championship he sanctions. So too, when British boxers are involved, are representatives of the British Board of Control. Who pays for them? Arum says that promoters pay for "any other officer of the WBC who happens to be at the match".

He gave two examples: in 1978, he said, Sulaiman and his brother-in-law spent some two weeks in Argentina at a cost of up to £4,300 paid by local WBC favourite Tito Lottore. The year before in Monte Carlo, Italian promoter Rodolfo Sabatini had picked up the hotel bill for a similar stay by Sulaiman and his children.

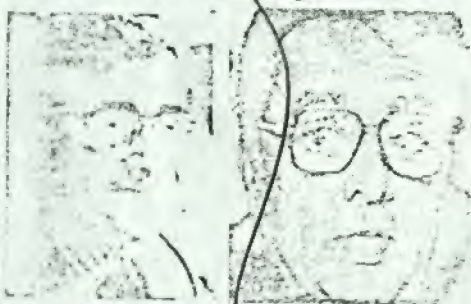
Arum was equally candid about his own ability to influence Sulaiman and thereby the WBC, which he described as "a one-man dictatorial organisation" to the benefit of his Top Rank group.

"We would discuss with Mr Sulaiman the advisability of rating certain fighters either higher than they were currently rated or to put them into the ratings," Arum declared under oath.

It is essential for boxers to get into the WBC rankings in order to qualify for a title bout. And the higher the ranking of the challenger the more attractive the match to all-important American TV who will only backroll WBC or WBA sanctioned bouts.

The Top Rank boss said that he would persuade the understanding Senor Sulaiman by stressing "the economic considerations behind the match and the fact that we could conclude the match to our economic benefit". Prior to the middle of 1978, Arum declared, Sulaiman "went along with us". He gave an example.

Following the retirement of Carlos Monzon as world middleweight champion in 1977, it was essential that Arum and Sabatini convince Sulaiman that two boxers in their camp should be rated by the WBC as number one and number two challengers so that these two boxers - Rodrigo Valdez and Bonnie Briscoe - would then be able to contest the vacant title on a Top Rank/Sabatini promotion. "Over a period of a day and a half in Monte Carlo we so convinced him," Arum declared, Valdez defeated Briscoe in Italy in November 1977. Unfortunately for Top Rank, Sulaiman, according to Arum, since 1978 has done "what Don King wanted".



Arum: Allegations

Sulaiman: Machinations

Just how easy it is for the WBC president to arrange such things was made clear by Arum's testimony as to how the crucial WBC ratings are made up: "(The ratings) are all formulated in Sulaiman's office in Mexico." This had been confirmed to him by the chairman of the ratings committee.

That may explain why BBC Secretary Ray Clarke may not be entirely overwhelmed with enthusiasm for the WBC president. Arum stated that Clarke had told him on a recent trip to London that "Sulaiman in substance was a fool and always acted on his own without going through the proper procedures".

Sulaiman and the WBC have been resisting disclosing to Brenner and his lawyers documents regarding their dealings with the so-called favoured promoters, including Duff. A judge has now ordered that this information be disclosed.

Behind Brenner's requests are such facts as a world title chances obtained for the Terry Lawless-managed WBC lightweight champion Joe Watt and light-middleweight champion Freddie Hope, and the chance expected for Lawless-managed flyweight Charlie Magri.

HAYMAN

— caught with his fingers in the PIE.



writings be sent to his office so he could read them himself. Hetherington panicked and set several minions previously unacquainted with the Hayman case onto the job of locating them.

When the diaries were eventually forwarded to Havers it became clear that he wasn't the only person who'd been kept in the dark. The security services had not been informed of their blackmail potential either. Nor had Willie Whitelaw, as Home Secretary the Cabinet Minister responsible for security matters. Nor, indeed, had the Prime Minister.

Meanwhile, back at the Dipper's Office in Queen Anne's Gate, there was a clumsy attempt to lower the charges facing Hayman's paedophile crimes so that they would willingly plead guilty in return for a token fine. This would keep the public revelation of the evidence to a minimum and prevent altogether the discussion of the deal over Hayman in open court.

To the Attorney General's credit, he refused

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*Security*²

10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

SIR PETER HAYMAN

The Prime Minister was grateful for your very helpful minute (A03354) of 27 October 1980 about Sir Peter Hayman. In fact the Private Eye story did not come up during Questions today, but that is not to say of course that it will not do so on some future occasion, especially if Private Eye publish further articles. The Prime Minister looks forward to receiving further advice from you when the investigation by the Security Service is complete.

I am sending copies of this minute to Mr. Halliday (Home Office), Mr. Walden (FCO), Mr. Buckley (CSD) and Mr. Nursaw (Law Officers' Department).

AW.

28 October 1980

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CONFIDENTIAL

Ref. A03367

MR. SANDERS

Sir Robert Armstrong minuted the Prime Minister yesterday about the article in last week's Private Eye containing allegations about Sir Peter Hayman.

2. The Attorney General has suggested two amendments to the draft answers attached to Sir Robert Armstrong's minute. Sir Robert Armstrong agrees with the Attorney General's suggestions and has asked me to pass them on to you. They are:

Answer 4 to read -

"No. I must be extremely careful what I say since the allegations could be the subject of civil proceedings or if true, involve criminal offences."

Answer 6 - "cannot" to replace "should not" at the beginning of the second line.

3. I am sending copies of this minute to John Holliday (Home Office), George Walden (Foreign and Commonwealth Office), Jim Buckley (CSD) and Nursaw (Attorney General's Chambers).

(D.J. Wright)

28th October, 1980

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Prime Minister

file

28x.

Ref. A03354

PRIME MINISTER

Your attention has been drawn to the article (of which I attach a copy) in last week's Private Eye, containing allegations about the sexual activities and proclivities of Sir Peter Hayman, a retired member of the Diplomatic Service.

2. I attach a copy of Sir Peter Hayman's entry in Who's Who. It is not the case that he "had an intelligence background"; but throughout his career, and especially as Minister in West Berlin from 1964 to 1966, in the Foreign Office from 1966 to 1969, and as High Commissioner in Ottawa from 1970 to 1974, he had access to highly confidential and sensitive material. He has been, to all appearances, a healthy, normal and happily married man.

3. He came to the notice of the Director of Public Prosecutions in 1978 very much as described in the article, on the basis of a police report as a result of a parcel of obscene material discovered in a bus and of subsequent investigations. The police report showed that Sir Peter Hayman kept explicit and detailed records of his sexual activities and fantasies and that he was a member of the Paedophile Information Exchange. But the only activities which could be shown to have occurred were with consenting adults (of both sexes); the material in the records relating to children appeared all to be fantasy, and there was - and is - no evidence for actual activities with children. The only offence for which he could have been charged was that of sending obscene material through the post; and I am advised that it was and is the policy of the Director of Public Prosecutions not to prosecute for this offence ^{except} if there has been a complaint from the recipient or the object of committing the offence was commercial gain.

4. The contents of police reports are of course confidential, and the general rule must be that information contained in them is not transmitted to anyone outside the prosecution process unless a case is brought and ends in conviction. Nonetheless, if a police report to the Director suggested to him that there were matters relating to a serving public servant which had implications for security, he would consider alerting the security authorities to the need to make their own

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inquiries. This did not happen in this instance, because at the time when the Director was considering the possibility of prosecution, Sir Peter Hayman was no longer serving: he had been in retirement for four years.

5. It is clear that Sir Peter Hayman was already engaging in sexual perversion in 1966 when he returned from Berlin to the Foreign Office, and it must be presumed that he was doing so before that time. He would of course have been especially vulnerable in Berlin. While Sir Peter Hayman was High Commissioner in Ottawa, there was a problem of obscene correspondence addressed to a fictitious female name at the High Commission, apparently as a result of advertisements placed in a pornographic magazine. At the time this was laid at the door of a member of the domestic staff; the latest report raises the question whether it should have been laid at Sir Peter's door.

6. Sir Peter Hayman has been in touch with the Foreign and Commonwealth Office. He had offered to come in, and was to be seen by the Acting Head of the Office (Sir Edward Youde); but he has now been advised by his solicitor (Sir David Napley) that he should not call at the Foreign Office unless and until he is told that they have something to discuss with him. We are not yet ready for a discussion; at this stage we could do no more than listen to what he had to say.

7. There are two questions now to decide: what to do, and what to say, if questions are asked. I have discussed these questions with the Acting Head of the Foreign and Commonwealth Office, the Permanent Under Secretary of State at the Home Office, the Director of Public Prosecutions and the Director General of the Security Service.

What to do

8. There must clearly be a full investigation, with a view to discovering whether anything more is known or suspected about Sir Peter Hayman's activities while he was serving in the Diplomatic Service, and whether there is any reason to suppose that security was compromised. This investigation is being undertaken by the Security Service.

9. Whether any further action is required - a review of vetting procedures, or even a reference to the Security Commission - cannot be determined until the Security Service's investigation is complete. But the case already raises the

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question why the positive vetting procedure did not bring this character defect of Sir Peter Hayman to attention, whether it could or should have done so, and whether there are lessons to be learnt from its failure to do so. Even though there has been no prosecution, it might at some stage be necessary or advisable to make a reference to the Security Commission, for advice on the implications for security procedures; but that time is not yet.

What to say

10. If you are asked Questions in the House tomorrow, you will need to be cautious in your replies. In particular, you will need not to say that the article is true - if only because at this stage you cannot exclude the possibility - however unlikely - of libel proceedings. It is a fact that Sir Peter Hayman has not been prosecuted, and you can say so much; but questions about whether he should have been prosecuted and why he was not prosecuted are for the Attorney General in his capacity as the senior Law Officer of the Crown, not as a member of the Government, and you should refer all such questions to the Attorney General. In my judgment you cannot refuse to disclose that the first you heard of the matter was when the Private Eye article was drawn to your attention. You could in theory refuse to answer questions about whether your predecessor was told, on the grounds that you cannot answer for matters for which you had no Ministerial responsibility at the time; but the fact is that none of us - neither the Cabinet Office, nor the Foreign and Commonwealth Office, nor the Security Service knew anything about the affair until the article was published, and I doubt whether there is any point in trying to conceal the fact.

11. One difficult question is why nobody was told. There is a very difficult balance to strike here: though the Director of Public Prosecutions may draw an employer's attention to a matter when somebody has been prosecuted and convicted, he does not and obviously should not disclose the contents of police reports on individuals to employers or other people, and it would as a general rule be quite wrong that he should do so when he has decided not to prosecute. On the other hand it is arguable that in a case like the present, where security considerations may be at issue, he should indicate to the security authorities that

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there are matters which should be further investigated - if, that is, the case is identified within the prosecution system (which does not always involve the Director of Public Prosecutions). I doubt whether it is possible to devise comprehensive rules for this situation which could be disclosed publicly and stands up to public scrutiny. It would be better not to be drawn on this aspect in a way which could lead to the need for a further statement. If pressed on it, I suggest that you draw attention to the conflict between the rights of the individual and the requirements of security in such circumstances, and say that you will discuss the matter with the Attorney General when the investigations into this matter are complete.

12. You might well be asked whether security was compromised, or whether there had been a failure in vetting procedures, or whether there should be a reference to the Security Commission; I think that you have to say that you cannot comment on these questions until you have the result of the investigations that have been put in hand.

13. I attach notes for possible answers to Questions in the House.

14. I am sending copies of this minute and of the annexes to the Home Secretary, the Foreign and Commonwealth Secretary, the Lord President (in view of the implications for vetting procedures) and the Attorney General.

ReA

ROBERT ARMSTRONG

27th October, 1980

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SIR PETER 88

HAYMAN

Q1. Have you seen the report in Private Eye containing allegations about Sir Peter Hayman?

A1. Yes.

Q2. When did you first hear about the matter?

A2. When the article was brought to my attention.

Q3. Had the Government known about this before the article appeared?

A3. I understand that they had not.

Q4. Can you confirm the truth of or comment on the report?

A4. No. I must be extremely careful what I say, since the allegations ^{could} ~~would~~, if true, involve criminal offences, ^{or} ~~and~~ could be the subject of ~~criminal or~~ civil proceedings.

Q5. Is it true that the police sent a report to the Director of Public Prosecutions but he decided not to prosecute? Why was Sir Peter Hayman not prosecuted, when two other men were?

A5. It is the fact that Sir Peter Hayman has not been prosecuted. The Director of Public Prosecutions is responsible to my rt. hon. and learned Friend the Attorney General and not to me, and questions about that aspect of the matter should be addressed to my rt. hon. and learned Friend.

Q6. Even if the Director decided not to prosecute, should he not have told the security authorities of the allegations, in case there might have been a risk to security?

A6. Until this matter has been further investigated and I know more about it, I ^{cannot} ~~should not like to~~ answer that question. The Director does not and obviously as a general rule should not communicate the contents of confidential police reports to the subject of the report or to his employer or to anyone else, if he is not going to authorise a prosecution on the basis of the report. Whether if there is the possibility of compromise to security he should say anything privately to the security authorities is a very difficult question: there is a balance to be struck between the rights of the individual and the interests of national security. It is something that I shall need to discuss with my rt. hon. and learned Friend the Attorney General when investigations are complete.



- Q7. Was security compromised?
- A7. The security authorities have been asked to undertake a full investigation, with a view to discovering whether there is any reason to suppose that security was compromised and whether there was any failure in security procedures in this case.
- Q8. Will you publish the report of the investigation?
- A8. I cannot undertake to do that; but when I have the result of the investigation I will certainly consider making a statement to the House.
- Q9. Will you refer the case to the Security Commission?
- A9. Once I have the report of the investigations that are being made, I shall consider whether there is any matter that ought to be referred to the Security Commission.
- Q10. Should the activities of Sir Peter Hayman as disclosed in the article not have come to notice as a result of positive vetting?
- A10. I understand that Sir Peter Hayman, like all members of the Diplomatic Service, had been positively vetted. One of the objects of the investigation will be to discover whether there was any failure in procedures in this case.

BUSINESS NEWS

Intelligence

The Beast of Berlin

Having only just recovered from the Anthony Blunt scandal, Britain's battered security forces have recently been given evidence of yet another high-placed potential security risk.

The man in question is Sir Peter Hayman, KCMG, CVO, MBE who ended a distinguished career as British High Commissioner in Canada from 1970-74. Previously Hayman held a series of highly delicate posts including assistant principal to the Ministry of Home Secretary 1939-41, Personal Assistant to the Chief Staff Officer to the Minister of Defence 1949-52, member of the UK delegation to NATO 1952-4, Director-General of British Information Services New York 1961-64 and, perhaps most crucially Minister and Deputy Commandant in the British Military Government of West Berlin 1964-66.

Such a combination of defence and foreign office postings almost invariably indicates an intelligence background. Sir Peter would certainly have had access to top secret papers.

The risk to security lay in the fact that during at least some of his career Hayman was a sexual deviant who kept explicit and detailed diaries cataloguing years of his sexual activities which involved every conceivable perversion. Much of what he recorded was fantasy but some of the events clearly had occurred. The diaries, along with articles of female clothing and pornographic photos, were found in a sparsely furnished flat at 95 Linden Gardens, Notting Hill, by Porn Squad officers who raided the flat in the summer of 1978.

The police raid followed the discovery of a bulky package of obscene material addressed to a "Mr. Henderson" on a bus. Police also discovered that "Henderson", who was in fact Hayman, was a member of the Paedophile Information Exchange and frequently entertained prostitutes at his Linden Gardens flat. Hayman appears to have used PIE in order to locate other deviants for correspondence purposes, also using "contact" magazines for the same end.

Hayman's role emerged after two men were conditionally discharged for three years after pleading guilty to sending obscene material through the post.

The decision not to prosecute Hayman, who was certainly as guilty as these two unfortunates, came from high up, much to the disgust of DPP Tony Hetherington's aides and also the policemen involved in the case. They were told that this was "no reflection on the evidence" and indeed, at one stage, Hayman appears to have been cautioned. He was also warned not to send obscene material through the post again.

The diaries — some 46 quarto size books



HAYMAN — His diaries tell all.

of 80 pages each — clearly refer to Hayman's period of office in Canada. What M15 and M16 are deeply worried about is how much further back did Hayman's activities extend and how public did he make them?

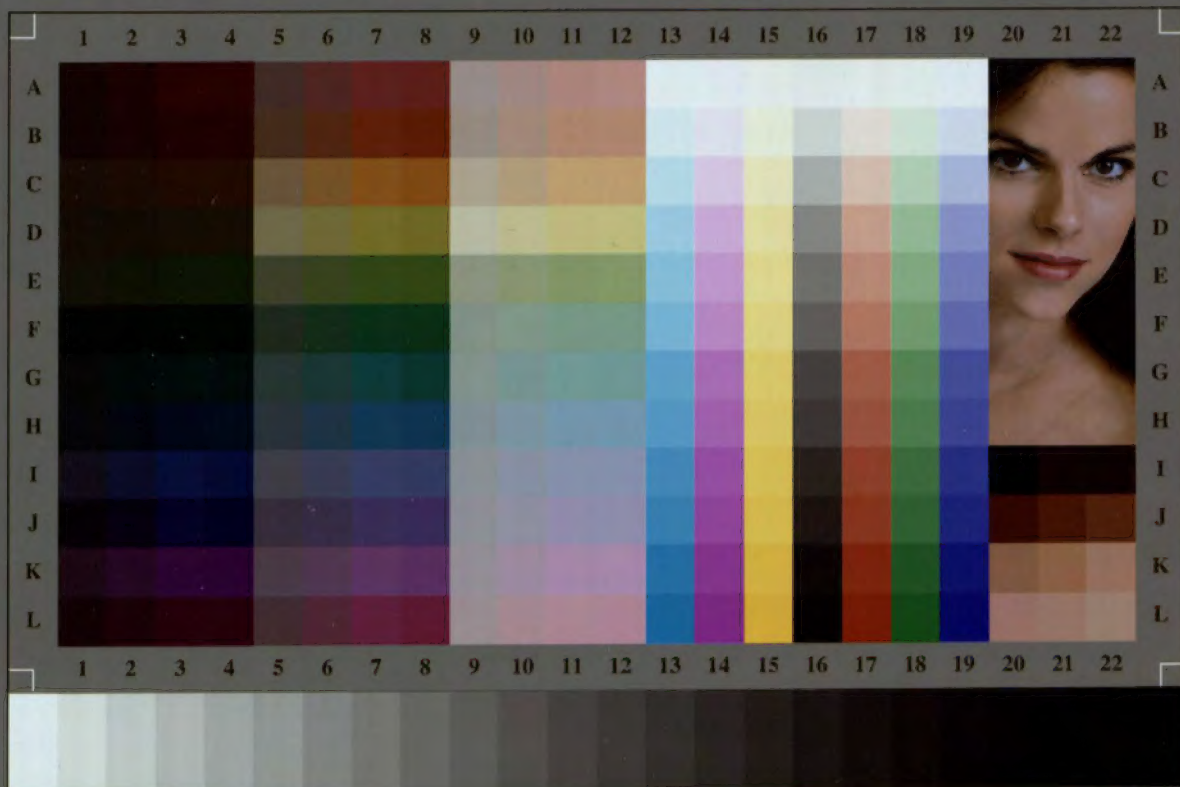
Yet again, the much vaunted system of positive vetting appears to have broken down completely.

HAYMAN, Sir Peter (Telford), KCMG 1971 (CMG 1963); CVO 1965; MBE 1945; HM Diplomatic Service, retired. Governor, International Students House; Director: Delta Overseas, Matthew Hall International Development; Edbro (Holdings) Ltd; Adviser, Seatrade Publications; Member Executive Committee, International Grenfell Association; *b* 14 June 1914; *s* of C. H. T. Hayman, The Manor House, Brackley, Northants; *m* 1942, Rosemary Eardley Blomefield; one *s* one *d. Educ.* Stowe; Worcester Coll., Oxford. Asst Principal: Home Office, 1937-39; Min. of Home Security, 1939-41; Asst Priv. Sec. to Home Sec. (Rt Hon. Herbert Morrison, MP), 1941-42; Principal, Home Office, 1942. Served War, 1942-45, Rifle Bde, Major. Principal, Home Office, 1945-49; transf. to Min. of Defence as Personal Asst to Chief Staff Officer to the Minister, 1949-52; Asst Sec. Min. of Defence, 1950. UK Delegation to NATO, 1952-54; transf. to FO, 1954. Counsellor, Belgrade, 1955-58; seconded for temp. duty with Governor of Malta, 1958; Couns., Baghdad, 1959-61; Dir-Gen. of British Information Services, New York, 1961-64; Minister and Dep. Comdt. Brit. Milit. Govt in Berlin, 1964-66; Asst Under-Sec., FO, 1966-69; Dep. Under-Secretary of State, FCO, 1969-70; High Comr in Canada, 1970-74. *Recreations*: shooting, fishing, travel. *Address*: Uxmore House, Checkendon, Oxon. *T*: Checkendon 680 658. *Clubs*: Travellers', Army and Navy, MCC.

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